

**LAW OFFICES OF AVRUM J. ROSEN**  
ATTORNEYS AT LAW  
38 NEW STREET  
HUNTINGTON, NEW YORK 11743

.....  
Telephone (631) 423-8527  
Facsimile (631) 423-4536  
e-mail address: ajrlaw@aol.com

AVRUM J. ROSEN

\_\_\_\_\_  
KIMBERLY I. BERSON  
DEBORAH L. DOBBIN  
FRED S. KANTROW

October 1, 2004

Chambers of the Honorable E. Thomas Boyle  
United States District Court  
834 Federal Plaza  
Central Islip, New York 11722

***Re: Levin v. Action Funding and Dean Weber, CV No. 01-1028(JS)***

Dear Sir/Madam:

Enclosed please find our notice of motion for an order holding the defendant, Gene Weber in contempt of this Honorable Court's Order dated August 6, 2004. It is my understanding that Judge Boyle shall try to accommodate our request for a particular return date for our motion, however, due to a heavy docket, Judge Boyle shall select the return date. With that in mind, we respectfully request a return date that allows us the opportunity to personally serve the defendant with this motion as required by rule. In the past, it has been difficult to personally serve this defendant as he often attempts to evade service. Therefore, any date in later October, to early November should allow us sufficient time to effect service.

Should you have any questions regarding the above please contact the undersigned.  
Thank you for your courtesies.

Respectfully submitted,

S/Fred S. Kantrow  
Fred S. Kantrow

Enc.